

## 236.102

236.602 Selection of firms for architect-engineer contracts.

236.602-1 Selection criteria.

236.602-70 Restriction on award of overseas architect-engineer contracts to foreign firms.

236.604 Performance evaluation.

236.606 Negotiations.

236.606-70 Statutory fee limitation.

236.609 Contract clauses.

236.609-70 Additional provision and clause.

### **Subpart 236.7—Standard and Optional Forms for Contracting for Construction, Architect-Engineer Services, and Dismantling, Demolition, or Removal of Improvements**

236.701 Standard and optional forms for use in contracting for construction or dismantling, demolition, or removal of improvements.

AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.

SOURCE: 56 FR 36421, July 31, 1991, unless otherwise noted.

## **Subpart 236.1—General**

### **236.102 Definitions.**

(1) A-E means architect-engineer.

(2) *Construction activity* means an activity at any organizational level of the DoD that—

(i) Is responsible for the architectural, engineering, and other related technical aspects of the planning, design, and construction of facilities; and

(ii) Receives its technical guidance from the Army Office of the Chief of Engineers, Naval Facilities Engineering Command, or Air Force Directorate of Civil Engineering.

(3) *Marshallese firm* is defined in the provision at 252.236-7012, Military Construction on Kwajalein Atoll—Evaluation Preference.

(4) *United States firm* is defined in the provisions at 252.236-7010, Overseas Military Construction-Preference for United States Firms, and 252.236-7011, Overseas Architect-Engineer Services-Restriction to United States firms.

[56 FR 36421, July 31, 1991, as amended at 62 FR 2857, Jan. 17, 1997; 63 FR 11538, Mar. 9, 1998; 71 FR 9272, Feb. 23, 2006]

## 48 CFR Ch. 2 (10-1-10 Edition)

### **Subpart 236.2—Special Aspects of Contracting for Construction**

#### **236.201 Evaluation of contractor performance.**

(a) *Preparation of performance evaluation reports.* Use DD Form 2626, Performance Evaluation (Construction), instead of SF 1420.

(c) Follow the procedures at PGI 236.201(c) for distribution and use of performance reports.

[56 FR 36421, July 31, 1991, as amended at 61 FR 7749, Feb. 29, 1996; 66 FR 49861, Oct. 1, 2001; 71 FR 9272, Feb. 23, 2006]

#### **236.203 Government estimate of construction costs.**

Follow the procedures at PGI 236.203 for handling the Government estimate of construction costs.

[71 FR 9273, Feb. 23, 2006]

#### **236.204 Disclosure of the magnitude of construction projects.**

Additional price ranges are—

(i) Between \$10,000,000 and \$25,000,000;

(ii) Between \$25,000,000 and \$100,000,000;

(iii) Between \$100,000,000 and \$250,000,000;

(iv) Between \$250,000,000 and \$500,000,000; and

(v) Over \$500,000,000.

[61 FR 7749, Feb. 29, 1996]

#### **236.206 Liquidated damages.**

See 211.503 for instructions on use of liquidated damages.

[56 FR 36421, July 31, 1991, as amended at 66 FR 49861, Oct. 1, 2001]

#### **236.213 Special procedures for sealed bidding in construction contracting.**

If it appears that sufficient funds may not be available for all the desired construction features, consider using a bid schedule with additive or deductive items in accordance with PGI 236.213.

[71 FR 9273, Feb. 23, 2006]

#### **236.270 Expediting construction contracts.**

(a) 10 U.S.C. 2858 requires agency head approval to expedite the completion date of a contract funded by a